

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Jose L. Linares
v. : Criminal No. 07-982 (JLL)
SHAMAR RANKINS : ORDER

This matter having come before the Court on the pretrial motions of defendant Shamar Rankins (by Frank Arleo, Esq.) for an order: directing the Government to produce Federal Rule of Evidence 404(b) material, *Brady* material, a summary of any expert testimony, and to immediately disclose *Jencks* material; granting a hearing on the admissibility of the defendant's prior convictions; and granting a suppression hearing, and Christopher J. Christie, United States Attorney for the District of New Jersey (by Lee D. Vartan, Assistant U.S. Attorney), having opposed defendant's pretrial motions and filed a motion for reciprocal discovery in this matter:

WHEREAS, to date, the Government has not identified "other crimes" evidence under Federal Rule of Evidence 404(b) that it intends to introduce at trial;

WHEREAS, to date, the Government has not identified exculpatory evidence under *Brady v. Maryland*, 373 U.S. 83 (1963);

WHEREAS, at this time, the Government does not anticipate introducing expert testimony at trial;

WHEREAS the defendant does not have any prior convictions; and

WHEREAS the Court finds that the unsigned affidavit of the defendant's mother, Sheila Murray, filed with the Court on or about July 15, 2008 is sufficient to call into question

the voluntariness of the consent she allegedly provided to agents of the United States Secret Service to search the defendant's room, *see Schneekloth v. Bustamonte*, 412 U.S. 218 (1973), and require a suppression hearing;

IT IS ORDERED that the Government immediately disclose to the defendant any "other crimes" evidence under Federal Rule of Evidence 404(b) if such evidence is later identified by the Government;

IT IS FURTHER ORDERED that the Government immediately disclose to the defendant any exculpatory evidence under *Brady v. Maryland* if such evidence is later identified by the Government;

IT IS FURTHER ORDERED that the Government provide the defendant with a summary of all expert testimony if the Government later decides to introduce expert testimony;

IT IS FURTHER ORDERED that all *Jencks* materials be exchanged by both the Government and the defendant two weeks prior to the trial of this matter;

IT IS FURTHER ORDERED that defendant's motion for a hearing on the admissibility of the defendant's prior convictions is denied as moot;

IT IS FURTHER ORDERED that a suppression hearing is scheduled in this matter for August 5, 2008 at 10 a.m.;

IT IS FURTHER ORDERED that defendant must submit to the Court a signed affidavit from his mother, Sheila Murray, on or before July 25, 2008; and

IT IS FURTHER ORDERED that the Government's motion for reciprocal discovery is granted.



HON. JOSE L. LINARES
United States District Judge